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# San Diego City Attorney **MICHAEL J. AGUIRRE**

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## **NEWS RELEASE**

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**Contact: Maria Velasquez, Communications Director (619) 235-5725** (pager & voicemail) [mvelasquez@saniego.gov](mailto:mvelasquez@saniego.gov)

### **U.S. SUPREME COURT JUSTICE KENNEDY'S RULING UPHOLDS THE CITY'S STAY, PREVENTING THE REMOVAL OF THE CROSS ON ATOP OF THE MT. SOLEDAD MEMORIAL**

The City Attorney appeared at a joint news conference with Mayor Jerry Sanders regarding the City of San Diego's successful motion to the Chief Justice of the U.S. Supreme Court to block the removal of the cross on top of the Mt. Soledad War Memorial.

According to City Attorney Michael Aguirre, Justice Anthony M. Kennedy said the temporary stay he authorized should protect the cross until the San Francisco-based 9th U.S. Circuit Court of Appeals hears arguments this fall in a long-running dispute over the cross.

¶ "The equities here support preserving the status quo while the city's appeal proceeds," he wrote. "Compared to the irreparable harm of altering the memorial and removing the cross, the harm in a brief delay pending the Court of Appeals' expedited consideration of the case seems slight."

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